

## UNITED STATES COURTS OF APPEALS

## FOR THE NINTH CIRCUIT

|                          |  |   |
|--------------------------|--|---|
| UNITED STATES OF AMERICA | FILED IN THE<br>UNITED STATES DISTRICT COURT<br>DISTRICT OF HAWAII | ORDER FOR TIME SCHEDULE                                     |
| Plaintiff,               | APR 28 2006  | CA No.  |
| vs.                      | at 1 o'clock and 40 min. PM  | DC No. CR 03-00523 SOM 03                                   |
| (03) JOSE PRIETO         | SUE BEITIA, CLERK  | District of Hawaii<br>Notice of Appeal Filed ..... 04/06/06 |
| Defendant,               | ( X )  | ( ) Paid Appeal   |
|                          | ( )  | ( ) Apptd Counsel   |
|                          | ( )  | ( ) Retained Counsel  |
|                          | ( )  | ( X ) In Custody  |
|                          | ( )  | ( ) On Bail   |
|                          | ( )  | ( )   |

The parties, counsel and court personnel, in the processing of this appeal, will comply with the following time schedule:

1. If not exempt, the docket fee will be transmitted to the Clerk of the District Court ..... IMMEDIATELY
2. Date transcript will be ordered from the court reporter. (If this case is..... 05/19/06 under CJA, give the date that the order is to be given to the court reporter.)
3. The court reporter's transcript will be filed in the District Court..... 06/18/06  
(Certificate of record will be submitted to the Court of Appeals by the Clerk of the District Court immediately upon the filing of the transcript. The Certificate of Record indicates that the complete trial court record including designated transcripts is available for use by the parties.)
4. Appellant's opening brief and excerpts of record will be served and filed pursuant to..... 07/28/06  
FRAP 32 and Circuit Rules 32-3 and 32-4
5. The appellee's brief of no more than 35 pages will be served and filed..... 08/27/06  
pursuant to FRAP 32 and Circuit Rules 32-3 and 32-4
6. The appellant's (optional) reply brief will be served and filed pursuant to..... 09/10/06  
FRAP 32 and Circuit Rules 32-3 and 32-4

By direction of the Judicial Conference of the United States, this Court must expedite criminal appeals. This time schedule must be adhered to without exception. This appeal will be deemed ready for calendaring, on the first available calendar, after the appellee's brief is filed.

For the Court

Note: FRAP 32 and Cir. Rule 32-3 & 32-4 sets length limitations on briefs. These may be modified only by order of the Court. Cir. Rule 42-1 requires that this appeal may be dismissed if appellants brief is not timely filed.

Cathy A. Catterson  
Clerk, U.S. Court of Appeals

by: Sue M. Beitia  
Deputy Clerk  
U.S. District Court